

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

DWYANE C LYMORE,

Plaintiff,

v.

Case No: 5:20-cv-340-MMH-PRL

**TIMOTHY COOKE and DENIS
MCDONOUGH,**

Defendants.

ORDER

This case is before the Court for consideration of *pro se* Plaintiff's motion for Clerk's default against Denis McDonough. (Doc. 30). A review of the second amended complaint (Doc. 24) reveals that Plaintiff alleges a claim for employment discrimination and that Denis McDonough appears to be sued in his capacity as the Secretary of the United States Department of Veterans Affairs. (Doc. 24). Further, it appears that Plaintiff has not fully complied with the requirements of Rule 4 of the Federal Rules of Civil Procedure for serving a United States officer or employee sued in an individual capacity for an act or omission occurring in connection with duties performed on the United States' behalf (whether or not the officer or employee is also sued in an official capacity).

Accordingly, upon due consideration, Plaintiff's motion for Clerk's default (Doc. 30) is denied.

DONE and **ORDERED** in Ocala, Florida on November 23, 2021.



PHILIP R. LAMMENS
United States Magistrate Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties